

located in the breakroom areas throughout GMF. At the time the complainant began operating the GMF facility, there were 40 vending machines, 11 of them under the management of Ms. Martin. Complainant received monies from the remaining vending machines in accordance with the income-sharing provisions of the Randolph-Sheppard Act (the Act) and implementing regulations and the California Code of Regulations.

Following her placement at the GMF facility, Ms. Martin submitted a request to the SLA for remodeling and expansion of the facility as the result of requests from patrons and the Federal property managing officials to increase her service level. In August 1989, the SLA began working with complainant, the Postal Service, and an architect to develop plans for the remodeling of the GMF vending facility.

Subsequently, in September 1989, a dispute arose between the SLA and the Postal Service regarding the 29 vending machines at GMF not under Ms. Martin's management. Prior to this time, the SLA had informed postal officials at the GMF Facility of its desire to participate in the bidding process when the contract for these vending machines would be opened for bid. However, without formal notification to the SLA, the Postal Service began negotiations with a private vending company regarding the renewal of the contract. The negotiations culminated in a renewed contract between the Postal Service and the private vending company, which implemented a "break-even" vending machine arrangement with the Postal Service. That arrangement affected the complainant's income by eliminating the income-sharing of profits from the sales of the vending machines under the previous contract arrangement.

Shortly after the "break-even" pricing of the contract with the private vending company was instituted, complainant requested assistance from the SLA to stop what she termed unfair competitive pricing practices by the private vending company.

In October 1989, staff of the SLA's Business Enterprise Program informed the facility manager at GMF that the Postal Service was in violation of the Act and implementing regulations and that the "break-even" policy was adversely affecting the income of the complainant.

In April 1990, Ms. Martin filed a complaint with the SLA requesting a fair hearing on the matter. This request was heard by the SLA in May 1990. The SLA agreed with the portion of her

complaint that dealt with the "break-even" policy of the private vending company. However, the SLA found no basis for granting an administrative remedy.

Subsequently, in March 1991, Ms. Martin filed an appeal of this decision. The Appeals Board found that the complainant had suffered as the result of the "break-even" pricing. The Appeals Board ruled, however, that the SLA had taken steps to correct the problem, although those efforts were unsuccessful.

In October 1990, the SLA filed a request for arbitration with the U.S. Department of Education against the United States Postal Service, seeking cancellation of the "break-even" policy at GMF. This dispute was resolved in a negotiated settlement between the parties.

After the settlement between the SLA and the Postal Service, complainant alleged that she continued to operate the GMF facility with the same level of expenses and a decreasing level of income.

By August 1991, complainant made a decision to leave the GMF facility as its manager and to relocate with the assistance of the SLA to other vending locations in Southern California. However, complainant's relocation efforts did not produce sufficient income to enable complainant to pay the sales tax and business suppliers she owed while managing the GMF facility.

By letter dated June 25, 1992, the SLA notified the complainant that her license would be terminated for non-payment of the sales tax and other financial obligations pursuant to State rules and regulations. Subsequently, complainant's license was revoked and on June 29, 1992, complainant filed with the Secretary of the U.S. Department of Education a request to convene a Federal arbitration panel. A hearing was held on April 14 and 15, 1994.

#### Arbitration Panel Decision

The issue before the arbitration panel was whether the California Business Enterprise Program failed to fulfill its obligations to complainant in its capacity as the State licensing agency charged with the operation and administration of the Randolph-Sheppard vending program in California.

In a majority opinion, the panel ruled that the SLA violated the Act in its relationship with complainant by failing to protect the priority accorded to the complainant as a licensed blind vendor under the Act; by failing to insist upon remittance to the SLA's vending

program all vending machine income to which the SLA and complainant were entitled; by failing to stand firm against the promulgation and continuance of a "break-even" contract; by the lack of completed renovation of the GMF facility; and by the termination of complainant's license without sufficient foundation.

In a separate opinion on remedy, the panel awarded monetary compensation, including damages, restitution, and fees and expenses in the amount of \$449,923.70. The panel ordered the respondent to pay this amount, with interest to be determined in accordance with California law, to complainant within 30 days following the date of the award.

The arbitration panel further directed the respondent to reinstate complainant's license to operate a vending facility and to place her in a vending facility comparable to the GMF facility. In the event no comparable facility was immediately available, respondent was directed to pay compensation to complainant each month, beginning January 1995, in an amount equal to the net income complainant would have received had she been placed in such a facility. The panel fixed this amount as \$5,731.94 per month based upon the records submitted in the arbitration hearing.

The panel retained jurisdiction of the case for 90 days following the date of the award. One panel member concurred with the award in its entirety and one panel member dissented from the award of monetary compensation for damages.

The decision of the arbitration panel has been appealed to the United States District Court for the Central District of California, *Brenda Premo, Director of the Department of Rehabilitation, State of California v. Jeana Martin, United States Department of Education, Richard Riley, Secretary of Department of Education and DOES I-XX, Case No. 95-0546 JGD (CTx)*.

The views and opinions expressed by the arbitration panel do not necessarily represent the views and opinions of the U.S. Department of Education.

Dated: October 11, 1995.

Howard R. Moses,  
Acting Assistant Secretary for Special  
Education and Rehabilitative Services.  
[FR Doc. 95-25719 Filed 10-16-95; 8:45 am]

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**Office of Postsecondary Education**

[CFDA Nos.: 84.120A and 84.120B; and CFDA No. 84.262]

**Notice of Technical Assistance Workshop**

*Summary:* The U.S. Department of Education will sponsor a one-day technical assistance workshop for colleges and universities interested in applying for grants for the Minority Science Improvement Program and Programs to Encourage Minority Students to Become Teachers. This workshop will be conducted by staff of the Division of Higher Education Incentive Programs, Office of Postsecondary Education, U.S. Department of Education. The workshop will cover program regulations and guidelines governing applications, allowable costs and activities, as well as information on project accountability. The workshop will also offer suggestions for preparing highly successful applications. The session will be especially helpful for first-time applicants and previous applicants who were unsuccessful.

*Dates:* November 1, 1995.

*Time:* 9:00 a.m.—5:00 p.m.

*Place:* The Grand Hotel, 2350 M Street, N.W., Washington, D.C., Telephone: (202) 429-0100.

*Application Deadlines:* The application deadline for the Minority Science Improvement Program is December 8, 1995. The application deadline for the Programs to Encourage Minority Students to Become Teachers is November 17, 1995. Application forms and guidelines have been available since October 2, 1995.

*Note:* There will be no registration fees. Workshop space is limited. Participants should notify Ms. Janice H. Wilcox, by fax at (202) 260-7615 of their intentions to attend no later than October 20, 1995.

*For Further Information Contact:* Dr. Argelia Velez-Rodriguez at (202) 260-3261 for the Minority Science Improvement Program contact; Ms. Vicki Payne at (202) 260-3291 for Programs to Encourage Minority Students to Become Teachers. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

*Dated:* October 11, 1995.

David A. Longanecker,  
*Assistant Secretary for Postsecondary Education.*

[FR Doc. 95-25654 Filed 10-16-95; 8:45 am]

BILLING CODE 4000-01-P

**DEPARTMENT OF ENERGY****Office of Arms Control and Nonproliferation Policy****Proposed Subsequent Arrangement**

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation between the Government of the United States of America and Government of Sweden concerning Peaceful Uses of Nuclear Energy, and the Agreement for Cooperation between the Government of the United States of America and the Government of Norway concerning Peaceful Uses of Nuclear Energy.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following retransfer: RTD/NO(SW)-23, for the transfer of 10 grams of plutonium from Sweden to Norway for tests at the OECD Halden Reactor.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Edward T. Fei,

*Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.*

[FR Doc. 95-25690 Filed 10-16-95; 8:45 am]

BILLING CODE 6450-01-P

**Proposed Subsequent Arrangement**

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement for Cooperation between the Government of the United States of America and the European Atomic Energy Community (EURATOM) concerning Peaceful Uses of Atomic Energy, as amended, and the Additional Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea concerning Civil Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following retransfer: RTD/KO(EU)-5, for the transfer of 10.25 kilograms of uranium containing 2.045 kilograms of the isotope uranium-235 (19.95 percent

enrichment) from EURATOM to Korea for fuel element production.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Edward T. Fei,

*Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.*

[FR Doc. 95-25691 Filed 10-16-95; 8:45 am]

BILLING CODE 6450-01-P

**Proposed Subsequent Arrangement**

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation between the Government of the United States of America and Government of Sweden concerning Peaceful Uses of Nuclear Energy, and the Agreement for Cooperation between the Government of the United States of America and the Government of Norway concerning Peaceful Uses of Nuclear Energy.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following retransfer: RTD/IE(EU)-10, for the transfer of 23.84 kilograms of uranium containing 4.788 kilograms of the isotope uranium-235 (19.95 percent enrichment) from EURATOM to Indonesia for fuel element production for the MPR-30 Research Reactor.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Edward T. Fei,

*Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.*

[FR Doc. 95-25692 Filed 10-16-95; 8:45 am]

BILLING CODE 6450-01-P

**Proposed Subsequent Arrangement**

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement"